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November 15, 2009

Andrew Suenram
JUDICIAL NOMINATION COMMISSION
P.O. Box 1366
Dillon, Montana
58725

Re: JUSTICE WARNER'S SEAT

Dear Mr. Suenram:

I have been the Glacier County Justice of the Peace and the Cut Bank City Judge for 10 years. Prior to that service I practiced law in Montana for 26 years.

David Ortley and I became judges at the same time and I have known him for 10 years. Judge Ortley serves on the Supreme Court Commission on Courts of Limited Jurisdiction. The commission's primary function is to set the curriculum and direction for the limited jurisdiction court training program. Ten years ago that training program had serious problems. Judge Ortley and I have discussed those issues many times over the years. Judge Ortley's work on the commission has resulted in significant improvements to the program. Most Montanan's only experience with our judicial system is in a Court of Limited Jurisdiction. Judge Ortley has worked tirelessly to improve that important part of our judicial system.

David Ortley is a hardworking and extremely conscientious member of the judiciary. He is honest, experienced and capable. Judge Ortley would bring a valuable perspective to the Supreme Court from his 10 years as Justice of the Peace in Flathead County, just as Justice Warner did from his years as a District Judge.

I recommend the Judicial Nomination Commission pass the name of Judge David Ortley on to the governor for consideration.

Sincerely,

Robert J. Yunck

----- Original Message -----

From: "Jim Moore" <moorelaw@centurytel.net>

To: <asuenram@swmtlaw.com>

Cc: <bfreebury@swmt.com>

Sent: Tuesday, November 17, 2009 1:53 PM

Subject: David Ortley Recommendation

Dear Andrew:

I simply wanted to voice my unequivocal support for one of the candidates seeking to fill the vacancy that will be left on the Montana Supreme Court when John Warner retires, to-wit, David Ortley, who has acted a justice of the peace in Kalispell since 1999.

Despite being a past president of the Montana Trial Lawyers and a past legislator, I do not know several of the candidates. I am familiar with John Warren, Ron Waterman and Mike Wheat and while they are distinctly different individuals, I have respect for each of them. David Ortley I have observed for years. He is remarkably competent, a remarkably capable attorney who has delivered justice at a street level in an impartial, and district court manner. I have never been before Judge Ortley when he was not fully prepared and conversant with the law relating to the case. He has impeccable judicial demeanor. He would be a great supreme court judge. My only reluctance in recommending Judge Ortley, truthfully, is that we in Flathead County will have openings at the district court level, and Judge Ortley would be a great district court judge, as well.

But my personal preferences aside, Judge Ortley has all of the attributes to be an outstanding Supreme Court Justice and I would unequivocally recommend him for consideration for this impending vacancy. He is clean, fair, apolitical, and has an outstanding legal mind.

Thank you for your attention in this matter.

James D. Moore

----- Original Message -----

From: "Brent Larson" <brentlarson@earthlink.net>

To: <suenram@swmtlaw.com>

Sent: Wednesday, November 18, 2009 3:03 PM

Subject: Comment on Supreme Court applicant (David Ortley)

Dear Judicial Nomination Commission and Governor Schweitzer:

I offer the following comments on Judge David Ortley, who has applied to fill Justice John Warner's term on the Montana Supreme Court.

I have known David for 8½ years. I first met him in between my first and second years of law school when I volunteered as a law clerk with his court. David has been an extremely important mentor to me in the years since.

I can say with complete confidence that Judge Ortley would make an excellent Supreme Court Justice. I base this statement on two perspectives. The first is my personal observations of David over the years. He is one of the most diligent, hard-working, and conscientious persons I know in the legal profession. He is competent, intelligent, and well-versed in the law, and he is fair, impartial, and has no hidden agenda. In fact, while working for David as a law clerk, I observed that he consistently made decisions based on what the law actually said--not on what the parties might have wanted it to say. He was fair in his rulings from the bench and always afforded each side a full opportunity to argue their respective positions before he made any decision. And despite the large volume of cases the court had during that period, David gave each case due attention and consideration.

I also base my recommendation of Judge Ortley on my perspective as a four-year law clerk with the Supreme Court. Having witnessed firsthand the challenging nature of the work the Justices do and the oftentimes difficult decisions they must make, I believe that David has the experience and the aptitude to take on that role successfully and to make a valuable contribution to the Court.

Thank you for the opportunity to offer my comments. I highly recommend the appointment of Judge Ortley to fill Justice Warner's term.

Brent Larson

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November 18, 2009

Mr. Andrew Suenram
Secretary - Judicial Nomination Commission
Montana Supreme Court
Post Office Box 1366
Dillon, MT 59725

Re: Nomination of David M. Ortley for Justice of the Supreme Court

Dear Commission Members:

It is with pleasure that we express our whole-hearted support of Judge David M. Ortley's candidacy for Justice of the Montana Supreme Court. We have known David since January of 2006 when Justin began working for him as administrator of the Justice Court in Flathead County. He was an absolute pleasure to work for and a constant source of encouragement as we both began our careers as attorneys in Montana. As Justin transitioned out of the Justice Court and into his own legal practice, David graciously provided wisdom, perspective, and sound advice covering a wide spectrum of issues, from strictly legal to relational and professional in nature.

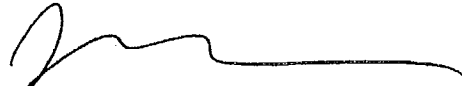
David is passionate in his role as a judge, has a firm grasp of the law, is an exacting writer, and possesses a unique balance of compassion for the parties appearing in his court and discernment of and demand for authentic justice. Perhaps the most impressive of David's many qualifications is the respect he holds in the minds of those he has sentenced in his court. We have both, on numerous occasions, heard statements directly and indirectly from criminal defendants David has sentenced, praising him for his fairness, the respect he demonstrated for their dignity as human beings, and his impartiality. We do not believe, given the sentences they received, that these comments were the result of unnecessarily light sentencing, but, rather of sincerely held beliefs that they were treated fairly and justly.

It is our belief that, given the above stated qualities and David's frequently demonstrated enthusiasm for the law and the judiciary, he would

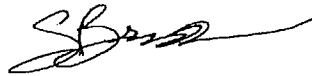
Mr. Andrew Suenram
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make an exceptional addition to the Montana Supreme Court. Thank you for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read "Justin G. Breck", with a long horizontal flourish extending to the right.

Justin G. Breck

A handwritten signature in black ink, appearing to read "Stephanie M. Breck", with a long horizontal flourish extending to the right.

Stephanie M. Breck

> From: Keith Blaylock [mailto:keith211@centurytel.net]
> Sent: Sunday, October 25, 2009 11:36 AM
> To: BABrennan@montanadsl.net
> Subject: Supreme Court nomination
>
> To all of the Judicial Nomination Commission:
> David Ortley is an extremely knowledgeable and fair jurist who takes
> common factors into account while making judgments, yet he always stays
> within
> the written law. I have personally watched Judge Ortley in his
> courtroom
> and listened to him be fair and honest with every person who stands in
> front of him. Judge Ortley has the very best character and is the best
> man for
> the Supreme Court Jurist position. We Montanans need true leaders at
> this
> level of our legislative branch, to lead us into changing times with
> legislative decisions that move our society forward, while keeping a
> close eye on
> the original intent of existing Montana law. It is our chosen leaders
> who
> determine (and give strength to) the fairness of our laws, and greatly
> effect our day to day lives, that is why it is so important to choose the
> right person for the position. David M. Ortley has shown us he is ready
> to
> lead and has prepared to become the next Montana Supreme Court Justice.
> I
> have already written a letter to Governor Brian Schweitzer to let him
> know my
> opinion about Judge Ortley, as I understand he will make the final
> decision, however, I also understand the procedure is that the Judicial
> Nomination
> Commission will determine which applicants are forwarded to Governor
> Schweitzer for selection. Please look carefully at Judge David M. Ortley
> as an
> extremely viable nominee as I do.
> It would be a disservice for Montanans to miss out on an opportunity to
> have a man like Jurist David M. Ortley become the next Supreme Court
> Justice.
> Thank you for your time and consideration during this nomination process.
> Sincerely,
> Keith Blaylock
> Montana citizen
> _Keith211@centurytel.net_ (mailto:Keith211@centurytel.net)
> 406-270-6734

